

Court Ex # 2

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

TRACI PROCTOR,

Defendant.

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USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED

CONSENT ORDER OF  
RESTITUTION

FILED: 5/18/2024

21 Cr. 549 (NSR)

Upon the application of the United States of America, by its attorney, Damian Williams, United States Attorney for the Southern District of New York, Assistant United States Attorney Jeffrey C. Coffman, of counsel; the presentence report; the Defendant's conviction on Counts One and Two of the above-referenced Indictment; and all other proceedings in this case, and upon the consent of TRACI PROCTOR (the "Defendant"), by and through her counsel, Sean M. Maher, Esq., and upon consideration of the factors set forth in Title 18, United States Code, Section 3664(f)(2), it is hereby ORDERED that:

**1. Amount of Restitution.** TRACI PROCTOR, the Defendant, shall pay restitution in the total amount of \$930,000.00 in United States currency to:

U.S. Small Business Administration/DFC  
721 19<sup>th</sup> St, 3<sup>rd</sup> Floor  
Room 301  
Denver, CO 80202

Upon advice of a change of address, the Clerk of the Court is authorized to send payments to the new address without further order of this Court.

**2. Joint and Several Liability.** Restitution shall be joint and several with co-defendants Alicia Ayers and Andrea Ayers, charged in Indictment 21 Cr. 440 (NSR) (the "Co-conspirators"). Defendant's liability for restitution shall continue unabated until either the

Defendant has paid the full amount of restitution ordered herein, and the victim has been paid the total amount of its loss from all the restitution paid by the Defendant and the Co-conspirators.

**3. Schedule of Payments.** Pursuant to 18 U.S.C. § 3664(f)(2), in consideration of the financial resources and other assets of the Defendant, including whether any of these assets are jointly controlled; projected earnings and other income of the Defendant; and any financial obligations of the Defendant; including obligations to dependents, the Defendant shall pay restitution in the manner and according to the schedule that follows:

In the interest of justice, restitution shall be payable in installments, pursuant to 18 U.S.C. § 3572(d)(1) and (2), of not less than the greater of \$250 or 10 percent of the defendant's gross monthly income, on the 15<sup>th</sup> of each month.

This schedule is without prejudice to the Government taking enforcement actions, pursuant to 18 U.S.C. § 3613, to the extent warranted.


**4. Payment Instructions.** Restitution payments shall be made payable to the "SDNY Clerk of Court" and delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The Defendant's name and the docket number of this case shall be written on each check or money order. Any cash payments shall be hand delivered to the Clerk of Court using exact change and shall not be mailed. For payments by wire, the Defendant shall contact the Clerk of Court for wiring Instructions.

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**5. Sealing.** Consistent with Title 18, United States Code, Sections 3771(a)(8) and 3664(d)(4) and Federal Rule of Criminal Procedure 49.1, to protect the privacy interests of victim, the Schedule of Victims attached hereto shall be filed under seal, except that copies may be retained and used or disclosed by the Government, the Clerk's Office, and the Probation Department, as need be to effect and enforce this Order, without further order of this Court.

Dated: White Plains, New York  
May 8, 2024

SO ORDERED:

  
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HONORABLE NELSON S. ROMÁN  
UNITED STATES DISTRICT JUDGE